

App. No. 10/782,132  
Amendment Dated: June 4, 2007  
Reply to Office Action of January 3, 2007

RECEIVED  
CENTRAL FAX CENTER

JUN 04 2007

REMARKS/ARGUMENTS

Claims 1-5, 9-13, and 17-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thielens et al (U.S. Patent No. 5,666,139) (hereinafter "Thielens"), Norwood (U.S. Patent No. 5,063,600) incorporated by reference. Claims 6-8, 14-16, and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thielens and Norwood in view of Jaeger (U.S. Publication No. 2004/0060000). Claims 1, 2, 9 and 17 have been amended. No new matter is added. The Applicants respectfully present the following for consideration.

Claim Rejections – 35 U.S.C. 103

Claims 1-5, 9-13, and 17-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thielens et al (5,666,139) (hereinafter "Thielens") and Norwood (5,063,600), incorporated by reference.

With regard to Claim 1, the Office States that Thielens teaches "determining that the tap indicates to create a document structure on the screen, column 1 lines 1-20. Wherein the document structure is a writing pad." The Office Action also states that "Thielens et al. fails to explicitly teach of determining whether the location on the screen is without content and when the location on the screen is without content: determining that the tap indicates to create a document structure on the screen. Thielens teaches of editing a text which includes adding the insertion of words, lines, and paragraphs into the main text, as well as the insertion of words, lines, and paragraphs at the end of the text. Therefore it would be obvious to include an algorithm that would have to consider where existing text exists to properly annotate the text

App. No. 10/782,132  
Amendment Dated: June 4, 2007  
Reply to Office Action of January 3, 2007

without writing over it. Thielens also teaches by incorporation of Norwood (US Patent # 5,063,600), column 22 lines 64-67, column 28 lines 41-58, that an algorithm may be developed to make sure that if there are graphics or other items in the target area, that the item being moved can be shifted to a clear area to avoid overlaying existing items, and for the purpose of confirming that the information being updated will not overlay any existing information on the target card." The Applicants respectfully disagree but have amended the Independent Claims to more clearly define the invention and to further the prosecution of this matter in a timely manner.

As amended, Claim 1 recites in part "determining a location on the screen associated with the tap; classifying the tap as a non-tap when there is content at the location on the screen that is associated with the tap; determining whether the location on the screen is without content; and when the location on the screen is without content: determining that the tap indicates to create a document structure on the screen; and inserting a handwriting guide based on the location of the screen that is associated with the tap."

In contrast, Thielens recites "by utilizing a pen-computing environment, copy editing apparatus 10 allows the copy editor to mark-up screen 16 in the same manner as if the manuscript would appear on paper. For example, through the use of the aforementioned and other gestures, a copy editor can make a word upper case (.right brkt-bot..vertline.), delete a word (X), insert a letter, word, or paragraph (), make a word bold (B) or italic (I) and stet (E) any edits, as with the aforementioned table of gestures. It is an extremely important aspect of the present invention that all of the changes be easily recognizable. Specifically, it is an important aspect that any word inserted or added shows up in a "handwritten" font, and any deletions show

App. No. 10/782,132  
Amendment Dated: June 4, 2007  
Reply to Office Action of January 3, 2007

up as strike-outs. This is shown best in FIGS. 7 and 8 with respect to the addition of text. As shown in FIG. 7, the copy editor writes caret tap (.sup...multidot.), that is, the copy editor writes a caret followed by a tap of the pen 19 on screen 16. The pen computing system then opens a writing pad, as shown in FIG. 7, whereupon the copy editor writes in the added text. The pen computing system then performs its conventional character recognition operation to determine the letters to be added.” (col. 11, line 66 – col. 12, line 19).

Thielens is directed at inserting, deleting text where text is already located. Thielens is also concerned with making the changes made discernible after they are made. For example, insertions are inserted into a different font, such as a handwriting font and deletions are shown as strikeouts. This is in contrast to the currently claimed invention that is looking for a part of the screen without content. As amended, it is clear that a gesture over content on the screen would not be considered a tap and therefore document structure would not be placed at that location.

Norwood, at col. 28, line 48-61 states “As discussed under the heading of “Updating the work item” an option may be selected to allow the user to view the target area to ascertain if the update will overwrite any existing items. ... To move the source handwriting, buttons, and or fields to a clear target line, the user may select a checkbox having a clear target area.”

In contrast, Claim 1 would not consider a gesture where content is located on a screen to be a tap and therefore would not attempt to put document structure such as writing in the area. Additionally, Claim 1 is directed at using a tap to insert writing into areas of the screen where there is no content. In addition to the above presented arguments, the cited references fail to teach “inserting a handwriting guide based on the location of the screen that is associated with

App. No. 10/782,132  
Amendment Dated: June 4, 2007  
Reply to Office Action of January 3, 2007

the tap.” As discussed above, a gesture is only considered a tap where there is no content. Since the cited references do not teach classifying the gesture as a non-tap when there is content at the screen location, inserting document structure where there is no content and inserting a handwriting guide, Claim 1 is proposed to be allowable. Claims 2-8 are proposed to be allowable as they depend from a valid base claim.

Claim 9, as amended recites in part “classifying the gesture as a non-tap when there is content at the location on the screen that is associated with the tap; determining whether the location on the screen is without content when the gesture is a tap; and when the location on the screen is without content: determining that the tap indicates to create a document structure on the screen; and starting a new line of text near the location of the screen that is associated with the tap.” Claim 9 is proposed to be allowable for at least the reasons presented above. Claims 10-16 are proposed to be allowable as they depend from a valid base claim.

Amended Claim 17 recites in part “classifying the tap as a non-tap when there is content at the location on the screen that is associated with the tap; determining whether the location on the screen is without content; and when the location on the screen is without content: determining that the tap indicates to create a document structure on the screen; and placing a writing guide near the location on the screen that is associated with the tap.” Claim 17 is proposed to be allowable for at least the reasons presented above. Claims 18-24 are proposed to be allowable as they depend from a valid base claim.

App. No. 10/782,132  
Amendment Dated: June 4, 2007  
Reply to Office Action of January 3, 2007

RECEIVED  
CENTRAL FAX CENTER

JUN 04 2007

Conclusion

In view of the foregoing amendments and remarks, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the applicant at the telephone number provided below.

Respectfully submitted,

MERCHANT & GOULD P.C.

  
\_\_\_\_\_  
Timothy P. Sullivan

Registration No. 47,981

Direct Dial: 206.342.6254

MERCHANT & GOULD P.C.  
P. O. Box 2903  
Minneapolis, Minnesota 55402-0903  
206.342.6200

